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SENATE

{ REPORT
No. 91-827

DR. SHU-SUM CHEUK

APRIL 30, 1970.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary,
submitted the following

REPORT

[To accompany S. 3037]

The Committee on the Judiciary, to which was referred the bill (S. 3037) for the relief of Dr. Shu-sum Cheuk, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

AMENDMENT

In line 6, change the date "November 1, 1966" to read as follows: "January 31, 1964."

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary to file a petition for naturalization. The purpose of the amendment is to reflect the proper date upon which he last entered the United States as a student.

STATEMENT OF FACTS

The beneficiary of the bill is a 29-year-old native of Hong Kong and citizen of the United Kingdom who first entered the United States as a student in September 1957 and was absent for short periods after that date for vacations. He last entered the United States as a student on January 31, 1964, and his status was adjusted to that of permanent residence on November 1, 1966. He is a doctor of medicine and presently resides in St. Louis, Mo. where he is employed as a fellow in

surgery at St. Luke's Hospital. He desires to expedite his naturalization so that he can be licensed to practice in Missouri.

A letter, with attached memorandum, dated December 5, 1969, to the chairman of the Senate Committee on the Judiciary from the Commissioner of Immigration and Naturalization with reference to the bill reads as follows:

U.S. DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D.C., December 5, 1969.

A-12235304.

HON. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary,
U.S. Senate, Washington, D.C.

DEAR SENATOR: In response to your request for a report relative to the bill (S. 3037) for the relief of Dr. Shu-sum Cheuk, there is attached a memorandum of information concerning the beneficiary.

The bill provides that, for the purposes of the Immigration and Nationality Act, the beneficiary shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 1, 1966. He has been a lawful permanent resident of the United States since November 1, 1966. Since the bill is apparently intended to provide the beneficiary with sufficient residence to qualify for naturalization, the committee may wish to amend the bill to show an earlier date as the date of his admission for permanent residence.

Sincerely,

RAYMOND F. FARRELL,
Commissioner.

Enclosure.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE S. 3037

The beneficiary, Dr. Shu-sum Cheuk, was born in Hong Kong on July 28, 1940, and is a citizen of the United Kingdom. He is single and resides in St. Louis County, Mo.

Dr. Cheuk graduated from Washington University School of Medicine, St. Louis, Mo., in June 1964, as a medical doctor. He is employed as a fellow in surgery by a hospital in St. Louis at a salary of \$1,300 a month. He has savings in the amount of \$8,000 and personal property valued at \$5,000.

The beneficiary's parents, three brothers, and three sisters have been lawfully admitted to the United States for permanent residence. His other sister is a naturalized U.S. citizen. His other brother is in the United States as a student.

Dr. Cheuk first entered the United States in September 1957 as a student. He departed from the United States in June 1958 to attend school in Canada. He returned to the United States in September 1958. In 1959, 1960, and 1962 he spent the summer vacation periods in Hong Kong. He also departed from the United States on December 9, 1963, for a vacation in Hong Kong. He returned to the United States on January 31, 1964, as a student. The status of the beneficiary

was adjusted on November 1, 1966, to that of an alien lawfully admitted for permanent residence. He departed from the United States in January 1967 for a vacation in Hong Kong and returned on March 18, 1967.

The beneficiary will be eligible to petition to become a naturalized U.S. citizen on November 1, 1971. However, he has expressed a desire to enter medical practice in Missouri. The laws of Missouri require that a person be a citizen of the United States before he is eligible to obtain a license to engage in private practice as a physician.

Senator Stuart Symington, the author of the bill, has submitted the following information in connection with the case:

U.S. SENATE,
Washington, D.C., October 21, 1969.

HON. JAMES O. EASTLAND,
Chairman, Senate Judiciary Committee,
New Senate Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: As you know, Missouri State law requires that a doctor be a U.S. citizen in order to be licensed to practice in the State; so I have introduced the above-captioned bill to hasten Dr. Cheuk's naturalization.

Enclosed are copies of letters from Dr. Cheuk, setting forth his background and training; and from Drs. Thomas F. Egan and Walter L. Eckardt, concerning their observations of his ability and contributions in their association with Dr. Cheuk.

Your committee's consideration of this bill will be appreciated.

Sincerely,

STUART SYMINGTON.

SAINT LUKE'S HOSPITAL,
St. Louis, Mo., September 29, 1969.

HON. STUART SYMINGTON,
Senator of Missouri,
U.S. Senate, Washington, D.C.

DEAR SENATOR SYMINGTON: I would like to inform you that I have a personal problem and in trying to solve it, I was advised that you would be in a position to give me some assistance.

I am 29 years of age, single, and I was born in Hong Kong. I first came to the United States of America as a student in 1957 with a student visa. I attended Bowling Green State University in Bowling Green, Ohio from September 1957 to June 1959, and the Johns Hopkins University, Baltimore, Md., from September 1959 to June 1960. I then entered Washington University, School of Medicine, St. Louis, Mo., and graduated 4 years later in June 1964. Thereafter, I took an internship at St. Luke's Hospital, St. Louis, Mo. After my internship, I continued my training in general surgery at the same hospital.

In the fall of 1965, I applied for my change in status with the Immigration and Naturalization Service from student to immigrant and this was granted on November 1, 1966. During the early part of this year, I tried to join the armed services upon completion of my residency in July 1969, in order to fulfill my military obligation. The

replies from the Army and the Air Force were negative. It is apparent that they have enough physicians for the present time. As a matter of fact, the Assistant Secretary of the Department of Manpower and Reserve Affairs sent out a letter to the various hospitals in the country, stating that there is an adequate supply of physicians in the Armed Forces through the Berry plan and the usual procurement procedures until 1971.

I completed my residency training in general surgery at the end of June 1969 and I am presently a fellow in surgery at St. Luke's Hospital, St. Louis, Mo. I would like to practice medicine in the State of Missouri, especially in St. Louis, since I have been living here for more than 9 years. However, according to the Immigration and Naturalization regulations, I will have to wait until November 1971 before I can become a citizen of the United States of America. As you know, in order to practice medicine in Missouri, one has to be a citizen. However, I do have a declaration of intention.

I shall be very grateful, Senator Symington, if you will kindly offer me some suggestion and advice as to what to do, so that I can become naturalized as soon as possible.

Respectfully yours,

SHU-SUM CHEUK, M.D.

OCTOBER 1, 1969.

HON. STUART SYMINGTON,
Senator of Missouri,
U.S. Senate, Washington, D.C.

DEAR SENATOR SYMINGTON: I am writing to you in behalf of a professional colleague, Shu-sum Cheuk. He was born in Hong Kong 29 years ago. He entered this country on a student visa in 1957 and completed his entire medical education at various institutions here. He is a graduate of the Washington University School of Medicine in St. Louis (1964). Since then he has trained as an intern and surgical resident at St. Luke's Hospital. His formal graduate training in surgery was completed in July 1969.

In 1966 he was granted a change in his visa from student to immigration status. Under the present regulation he will not be eligible for citizenship until 1971. The State of Missouri will not license him to practice medicine until he becomes a citizen.

This predicament might have been resolved had he been able to enter the Armed Forces. However, his attempts to join have not been successful because the Armed Forces have an adequate supply of physicians from the Berry plan and from the usual procurement procedures until 1971.

This 2-year hiatus leaves him in a difficult position. I can see no objection to giving him his U.S. citizenship early. He is thoroughly "Americanized," U.S. educated, possesses a talent this country needs, and stands ready to serve this country in the Armed Forces. Few others have all these qualifications.

If you are able to do anything for him I would appreciate it.

Sincerely,

THOMAS F. EGAN, M.D.,
St. Louis, Mo.

WALTER L. ECKARDT, D.D.S.,
Clayton, Mo., October 1, 1969.

HON. STUART SYMINGTON,
*Senator of Missouri,
 U.S. Senate, Washington, D.C.*

DEAR SENATOR SYMINGTON: It is my understanding that several days ago a letter was mailed to you from a physician in St. Louis, Dr. Shu-sum Cheuk, requesting your advice and assistance concerning his status regarding citizenship in the United States and his desire to serve in the medical corps of the armed services. This desire to serve his adopted country may in itself be a little different from what you may more often hear.

Inasmuch as I operate at St. Luke's Hospital here in St. Louis 4 to 5 days a week I have had the opportunity to know Dr. Cheuk from the time he started his internship and residency some 5 years ago. To be selected as chief resident in surgery is quite an honor and proves his ability. He has now completed his formal training to qualify him for future application to the American Board of Surgery.

As of the present time, because he has been unable to join the medical corps due to the fact he is not a U.S. citizen plus an adequate supply of doctors in the armed services, and he cannot take the Missouri State board medical examination to permit him to practice because he is not a citizen of the United States, all his training and skill cannot be utilized to any advantage.

It is my sincere hope that you may be able in some way to help a well deserving and dedicated young doctor.

Thanking you, I am

Sincerely yours,

WALTER L. ECKARDT, D.D.S.

SAINT LUKE'S HOSPITAL,
St. Louis, Mo., October 30, 1969.

HON. STUART SYMINGTON,
*Senator of Missouri,
 U.S. Senate, Washington, D.C.*

DEAR SENATOR SYMINGTON: Many thanks for your letter of October 27, 1969, and I am sorry that I caused you so much trouble. It is my oversight that I did not make it clear that I was lawfully admitted to the United States as a permanent resident on November 1, 1966.

I did come to this country first on September 2, 1957. However, I have been out of this country several times since then for vacation. The following is a list of dates that I was absent from this country:

June 27, 1958 to September 15, 1958 (Canada).

June 12, 1959 to September 1, 1959 (Hong Kong).

June 18, 1960 to August 27, 1960 (Hong Kong).

June 18, 1962 to September 9, 1966 (Hong Kong).

December 9, 1963 to February 1, 1964 (Hong Kong).

January 23, 1967 to March 18, 1967 (Hong Kong).

I hope that having been out of the country since I was granted my permanent residency would not impose a problem in my situation.

Please accept my apology for my lack in providing you with the proper information and thank you again for all you have done for me.

Respectfully yours,

SHU-SUM CHEUK, M.D.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 3037) as amended should be enacted.

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